

1 BINGHAM MCCUTCHEN LLP
2 Geoffrey M. Howard (SBN 157468)
geoff.howard@bingham.com
3 Thomas S. Hixson (SBN 193033)
thomas.hixson@bingham.com
4 Kyle Zipes (SBN 251814)
kyle.zipes@bingham.com
Three Embarcadero Center
5 San Francisco, California 94111-4067
Telephone: 415.393.2000
6 Facsimile: 415.393.2286

7 ORACLE CORPORATION
Dorian Daley (SBN 129049)
dorian.daley@oracle.com
8 Deborah K. Miller (SBN 95527)
deborah.miller@oracle.com
9 500 Oracle Parkway
10 M/S 5op7
Redwood City, CA 94065
11 Telephone: 650.506.4846
Facsimile: 650.506.7114

12 ORACLE CORPORATION
13 Jeffrey S. Ross (SBN 138172)
jeff.ross@oracle.com
14 10 Van de Graaff Drive
Burlington, MA 01803
15 Telephone: 781.744.0449
Facsimile: 781.238.6273

16 Attorneys for Plaintiff
17 ORACLE AMERICA, INC.

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

20 ORACLE AMERICA, INC., a Delaware
corporation,

21 Plaintiff,

22 v.

23 SERVICE KEY, LLC, a Georgia limited
liability company; ANGELA VINES; DLT
FEDERAL BUSINESS SYSTEMS
25 CORPORATION, a Delaware corporation; and
DOES 1-50,

26 Defendant.

RIMON P.C.
Scott R. Raber (SBN 194924)
scott.raber@rimonlaw.com
One Embarcadero Center, Suite 400
San Francisco, CA 94111
Telephone: 415.683.5472
Facsimile: 800.930.7271

Attorneys for Defendant
DLT Federal Business System
Corporation

No. 4:12-cv-00790-SBA

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR DLT-
FEDERAL BUSINESS SYSTEMS
CORPORATION TO ANSWER THE
SECOND AMENDED COMPLAINT**

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Case No. 4:12-cv-00790-SBA

STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE FOR DLT-FEDERAL BUSINESS
SYSTEMS CORPORATION TO ANSWER THE SECOND AMENDED COMPLAINT

1 Pursuant to Local Rule 7-12 Plaintiff Oracle America, Inc. ("Oracle") and Defendant
2 DLT-Federal Business Systems Corporation ("DLT-FBS," and together with Oracle, the
3 "Parties") jointly submit this Stipulation.

4 WHEREAS, Oracle filed the Second Amended Complaint on December 17, 2012
5 (Docket Item 90);

6 WHEREAS DLT-FBS filed a Motion for Extension of Time to Answer the Second
7 Amended Complaint on January 7, 2013 (Docket Item 105);

8 WHEREAS DLT-FBS withdrew that Motion on January 11, 2013 (Docket Item 116);

9 WHEREAS DLT-FBS filed a Corrected Motion for Extension of Time to Answer the
10 Second Amended Complaint on January 11, 2013 (Docket Item 119);

11 WHEREAS, Oracle contends the deadline for Defendants to respond to Oracle's Second
12 Amended Complaint was January 3rd 2013, and has already passed, Oracle has agreed to extend
13 the time for DLT-FBS to answer the Second Amended Complaint to February 8, 2013;

14 WHEREAS, Oracle does not agree to extend the deadline for DLT-FBS to file a Motion
15 to Dismiss the Second Amended Complaint;

16 WHEREAS, DLT-FBS, in agreeing to file an answer rather than a motion to dismiss, has
17 expressly reserved its right to file a motion for judgment on the pleadings after answering;

18 WHEREAS, the parties to this Stipulation agree that the extension of this deadline will
19 not alter the date of any event or any deadline already fixed by Court order in this matter.

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21 NOW, THEREFORE, IT IS HEREBY STIPULATED BY THE PARTIES, THROUGH
22 THEIR RESPECTIVE COUNSEL OF RECORD, AS FOLLOWS:

23 1. DLT-FBS shall have until February 8, 2013 to answer the Second Amended
24 Complaint.

25 **IT IS SO STIPULATED.**

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1 DATED: January 29, 2013

Bingham McCutchen LLP

2 By: /s Geoffrey M. Howard
3 Geoffrey M. Howard
4 geoff.howard@bingham.com
5 Attorneys for Plaintiff
6 ORACLE AMERICA, INC.

7 Dated: January 29, 2013 RIMON P.C.

8

9 By: /s Scott Raber
10 Scott Raber
11 scott.raber@rimonlaw.com
12 Attorneys for Defendant
13 DLT Federal Business Systems
14 Corporation

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16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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18 Dated: 1/29/13 By: Saundra B. Armstrong
19 Saundra Brown Armstrong
20 United States District Court Judge

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2 **ATTESTATION**

3 I, Geoffrey M. Howard, am counsel for Oracle America, Inc. I am the registered
4 ECF user whose username and password are being used to file this Stipulation. In compliance
5 with Civil Local Rule 5(i)(3), I hereby attest that the above-identified counsel concurred in this
6 filing.

7

Dated: January 29, 2013

Bingham McCutchen LLP

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By: /s Geoffrey M. Howard

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Geoffrey M. Howard

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Attorneys for Plaintiff Oracle America, Inc.

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